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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/488,500
Filing Date	March 31, 2003
First Named Inventor	Klaus M. Irion
Group Art Unit	3764
Examiner Name	Denise M. Pothier
Attorney Docket Number	02581-P0204A

RCE/3764/573  
RECEIVED  
APR 22 2003  
TECHNOLOGY CENTER R3700

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); interim Rule 65 Red. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall be exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment to Deposit Account No. 19-4516.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Any Fee Deficiency
- b. ☒ Check in the amount of \$750.00 and \$110.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

04/15/2003 EAREGAY1 00000108 09488500

01 FC:1801

750.00 OP

The PTO did not receive the following listed item(s) check for 4/1/03 but we did receive 4/7/03

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

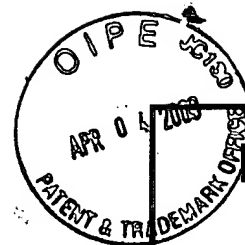
Name (Print / Type)	Todd M. Oberdick	Registration No (Attorney/Agent)	44,268
Signature	<i>Todd M. Oberdick</i>	Date	March 31, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE; Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: March 31, 2003.

Name (Print / Type)	Linda A. Ferranti	Date	4/1/03, 2003
Signature	<i>Linda Ferranti</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

Complete if Known

Application No.	09/488,500
Filing Date	January 20, 2000
First Named Inventor	Klaus M. Irion
Examiner Name	Denise M. Pothier
Group Art Unit	3764
Attorney Docket Number	02581-P0204A WWW/TMO

TOTAL AMOUNT OF PAYMENT (\$ 750.00

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:

Deposit  
Account  
Number

19-4516

Deposit  
Account  
Name

St.Onge Steward Johnston & Reens LLC

- ☒ Charge Any Additional Fee Required  
Under CFR 1.16 and 1.17  
Applicant claims small entity status.  
See 37 CFR 1.27

## 2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit Card ☐ Money ☐ Other  
Order

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	750	201	375	Utility filing fee	
106	330	206	165	Design filing fee	
107	520	207	260	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIMS FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
Independent Claims	-20**=	X	=
	-3**=	X	=
Multiple Dependent Claims		X	=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

\*\* or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2) (\$)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing for or oath	
127	50	227	25	Surcharge - late provisional filing or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840	Requesting publication of SIR after Examiner Action	
115	110	215	55	Extension for reply within first month	
116	410	216	205	Extension for reply within second month	
117	930	217	465	Extension for reply within third month	
118	1,450	218	725	Extension for reply within fourth month	
128	1,970	228	985	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,300	241	650	Petition to revive - unintentional	
142	1,300	242	650	Utility issue fee (or reissue)	
143	470	243	235	Design issue fee	
144	630	244	315	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	240	126	240	Submission of Informational Disclosure Stmt	
581	40	581	40	Recording each patent assignment per Property (times number of properties)	
146	750	246	375	Filing a submission after final rejection (37CFR § 1.129(a))	
149	750	249	375	For each additional invention to be examined (37 CFR 1.129(b))	
179	750	279	375	Request for Continued Examination (RCE)	750.00
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee paid

SUBTOTAL (3) (\$ 750.00

SUBMITTED BY St.Onge Steward Johnston & Reens LLC

Complete (if applicable)

Name (Print Type)	Todd M. Oberdick	Registration No. (Attorney/Agent)	44,268	Telephone	203 324-6155
Signature	Todd M. Oberdick	Date	3/1/2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

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